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FEB 18 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

OFFICIAL

### In re application: Busche et al.

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Serial No.: 09/400,583

28

Filed: September 22, 1999

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**For: Method and System for Integrating  
Spatial Analysis and Data Mining  
Analysis to Ascertain Favorable  
Positioning of Products in a Retail  
Environment**

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Group Art Unit: 3622

Examiner: Kemper, Melanie A.

Attorney Docket No.: CR9-99-049

**Certificate of Transmission Under 37 C.F.R. § 1.8(a)**  
I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306 on February 18, 2004.

By: Carrie Parker  
Carrie Parker

## **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Notice of Non-Compliant Amendment was received by Applicant stating that "The reply filed on 11/17/03 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the applicant did not address the third reference "The Data Game" used in the rejection". A copy of the Notice of Non-Compliant Amendment is attached hereto.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0461.